

REMARKS

Claims 1-10 are pending in the present case. Claim 2 is amended herein. Claims 11-23 are cancelled herein. Applicants respectfully request reconsideration in view of the above amendments to the present application, and the arguments set forth below. No new matter is added herein.

CLAIM REJECTIONS

35 USC 112

Claims 2 and 12 are rejected under 35 USC 112 (second paragraph). As amended herein, Claim 2 reads as shown below, with underlining added for emphasis.

2. The method as recited in Claim 1, wherein said functional model comprises a representation of said functional constitution of said architecture at a high level of abstraction capable of simulating the functioning of said architecture and said functional constitution thereof, the total power consumption of said architecture and of said functional constitution thereof, wherein said benchmark delineates power consumption of said architecture and said functional constitution thereof in terms of maximum power.

Applicant respectfully asserts that, as amended herein, Claim 2 complies with 35 USC 112 (¶2).

Claim 12 is cancelled herein. Thus, Applicant respectfully asserts that its rejection under 35 USC 112 (¶2) is moot.

DOUBLE PATENTING

Claims 1-10 are rejected under the judicially created double patenting doctrine over US Patent No. 6,513,145 to Venkitakrishnan (Applicant), Claim 10. Applicant respectfully submits herewith a Terminal Disclaimer in accordance with 37 CFR § 1.321(c) wherein Applicant disclaims the terminal part of the statutory term of any patent granted on the present Application, Serial Number 09/920,382, captioned above, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,513,145.

Thus, Applicant respectfully asserts that the double patenting rejection is obviated.

35 USC 103

Claims 11-23 are rejected under 35 USC 103(a) over Chen, et al. "An Architectural Level Power Estimator," in view of Fornaciari, et al. "System-Level Power Evaluation Metrics" (Claims 12-17 in view of other references as well, including Landman, "High-Level Power Estimation"). Claims 11-23 are cancelled herein. Thus, Applicant respectfully asserts that their rejection under 35 USC 103(a) is moot.

CONCLUSION


Applicant respectfully asserts that, by the rationale stated above, Claim 2 is allowable under 35 USC 112 (¶2) and further, that the double patenting rejection of Claims 1-10 is obviated by Terminal Disclaimer (submitted herewith) in accordance with 37 CFR §1.321(c). Accordingly, Applicant respectfully request that the rejection of Claim 2 under 35 USC 112 (¶2) and the rejection of Claims 1-10 under the judicially created doctrine of double patenting be withdrawn and that Claims 1-10 be allowed.

Please charge Deposit Account No. 08-2025, for any unpaid fees.

Respectfully submitted,

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